



Docket No. END-5240

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Robert Dunki-Jacobs et al.

Serial No. : 10/713,637

Art Unit: Not assigned

Filed : November 14, 2003

Examiner: Not assigned

For : METHODS AND DEVICES FOR DETECTING TISSUE CELLS

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, PO Box 1450, Alexandria, VA 22313-1450 on

February 19, 2004
(Date of Deposit)

Linda F. Hansen
(Name of person signing, applicant, assignee, or Registered Representative)

February 19, 2004
(Date of Signature)

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

- ☐ Statement in Accordance with §1.97(e) (attached); or
- ☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

- ☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the non-US references listed on the attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.

☐ If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

☒ There are no listed references which are not in the English language.

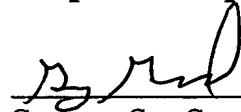
☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

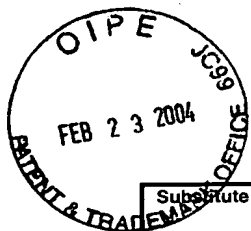
Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END 5240/GSG.

Respectfully submitted,



Gerry S. Gressel
Reg. No. 34, 342
Attorney for Applicants

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(513) 337-3535
DATED: February 19, 2004



PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 3

Application Number	10/713,637
Filing Date	November 14, 2003
First Named Inventor	R. Dunki-Jacobs et al
Group Art Unit	Not assigned
Examiner Name	Not assigned
Attorney Docket Number	END-5240

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code ² (if known)			
		3,690,309	A1	Pluzhnikov et al.	09-12-1972	ALL
		5,372,133		Hogen Esch	12-13-1994	ALL
		5,398,685		Wilk, Peter J.	03-21-1995	ALL
		5,716,595		Goldenberg	01-10-1998	ALL
		5,846,513	A1	Carroll et al.	12-08-1998	ALL
		5,993,378	A1	Lemelson	11-30-1999	ALL
		6,096,289		Goldenberg	08-01-2000	ALL
		US20010035902	A1	Iddan et al.	11-01-2001	ALL
		6,387,350	B2	Goldenberg	05-14-2002	ALL
		US2002/0099310	A1	Kimchy et al.	07-25-2002	ALL
		US2002/132226		Nair et. Al.	09-19-2002	ALL
		6,632,216	B2	Houzeago	10-14-2003	ALL
						ALL

FOREIGN PATENT DOCUMENTS

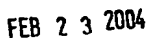
Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵				
							ALL	
							ALL	
							ALL	
							ALL	

Examiner Signature	Date Considered
-----------------------	--------------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

(use as many sheets as necessary)

Sheet 2 of 3

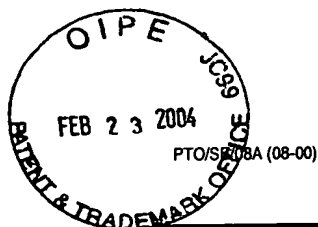
Application Number	10/713,637
Filing Date	November 14, 2003
First Named Inventor	R. Dunki-Jacobs et al
Group Art Unit	Not assigned
Examiner Name	Not assigned
Attorney Docket Number	END-5240

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 3 of 3

	10/713,637
<i>Filing Date</i>	November 14, 2003
<i>First Named Inventor</i>	R. Dunki-Jacobs et al
<i>Group Art Unit</i>	Not assigned
<i>Examiner Name</i>	Not assigned
<i>Attorney Docket Number</i>	END-5240

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner's Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		MCKIBBIN ET AL. Localization of Intestinal Bleeding using a Miniature Geiger Counter 1963 40:82-87	
		NELSON ET AL. The Use of Radioactive Phosphorus P32 and a Miniature Geiger Tube to Detect Malignant Neoplasia of the Gastrointestinal Tract. <i>Gastroenterology</i> 1964 46:8-15	
		ANDRYSEK ET AL. Controllable Probe with Miniature Geiger Counter to Detect Gastric Tumors. <i>Nuclear Medicine</i> , 1965 4:454-9	T
		NELSON ET AL. The Use of Radioactive Phosphorus P32 and a Miniature Geiger Counter to Detect Malignant Neoplasia of the Rectum. <i>American J. Proctology</i> , 1966, 17(3): 221-8.	
		NELSON RS The Detection of Malignant Neoplasia of the Gastrointestinal Tract by the Use of Radioactive Phosphorus (P32) and a Miniature Geiger Tube. <i>Gastrointestinal Endoscopy</i> , 1968, 15(1): 18-23.	
		GUGNIN ET AL. Radio Capsule for Recording of Ionizing Radiation in Gastrointestinal Tract. 1972, All-Union Scientific Research Institute of Medical Instrument Engineering, Moscow.	T
		WATSON ET AL. A pH Telemetry Capsule for Measurement in the Gastrointestinal Tract Incorporating a Glass Electrode. <i>Digest of 3rd International Conference on Medical Physics</i> , 1972, V1.3, Chalmers University of Technology, Goteborg, Sweden.	
		EADE ET AL. Measurement of 42K Concentration in the Mucosal Portion of the Intestine Without Tissue Samples: An Approach to the Measurement of Mucosal Blood Flow in the Dog. <i>Clinical and Experimental Pharmacology & Physiology</i> , 1978, 5:229-37.	
		HASSAN ET AL. A Radiotelemetry Pill for the Measurement of Ionising Radiation using a Mercuric Iodide Detector. <i>Physics in Medicine and Biology</i> , 1978, 23(2): 302-9	
		BROWNING ET AL. Receiving, Decoding and Noise Limiting Systems for a New Pressure-Sensitive Ingestible Radio Telemetric Capsule. <i>J. Biomed. Eng.</i> , 1983, 5 (3): 262-6.	
		LAMBERT ET AL. Autonomous Telemetric Capsule to Explore the Small Bowel. <i>Medical & Biological Engineering & Computing</i> , 1991, 29(2):191-96	
		SWAIN ET AL. Wireless Capsule Endoscopy of the Small Bowel Development, Testing and First Human Trials. <i>Proceedings of the SPIE</i> , 2001, 4158:19-23.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231.
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.